IV.—GOVERNMENT BILLS.

(1) THE MADRAS ELEMENTARY EDUCATION (AMENDMENT) BILL, 1950 (L.A. BILL NO. 12 OF 1950).

* THE HON. SRI B. GOPALA REDDI :—" Mr. Deputy Chairman, Sir, I move—

'*That this House concurs in setting up a Joint Select Committee of the two Houses consisting of 18 members (12 Members from the Assembly and 6 Members from the Council) to consider the Madras Elementary Education (Amendment) Bill, 1950, and that the following members of this House be nominated to the said Joint Select Committee* :—

(1) The Hon. Sri K. Madhava Menon,
(2) Dr. P. S. Srinivasan,
(3) Sri Mothey Narayana Rao,
(4) Sri M. Narayana Menon,
(5) Sri R. Suryanarayana Rao, and
(6) Mrs. Mona Hensman.'

" Hon. Members are aware that until 1940, the Government were under a statutory obligation to give to the local bodies a sum equivalent to the education cess they levy. During the Advisers' regime, in the year 1940, it was discontinued because the Government then felt that the local bodies might be permitted to enhance their education cess without the corresponding obligation on their part to pay an amount equivalent to the sum to which it was raised. So, from 1940 to 1950, the Government have been paying the local bodies what was due to them as per grants made in 1940, although the local bodies have enhanced the education cess during this period. But the Government were making, not content with these grants, other contributions, though it was not a statutory obligation and this amount came to 176 lakhs of rupees as against 116 lakhs which we were obliged to pay had not the 1940 amendment gone through. Sir, there is a complaint that we are trying to stifle the local bodies. It is not true. Whereas we would be obliged to pay Rs. 160 lakhs to the local bodies on the basis of the enhanced education cess, we are actually paying 176 lakhs. Nevertheless, the local bodies are complaining that they have not enough money for the expansion of elementary education. It is in these circumstances, that the present Bill has been brought forward and we are taking more liability, as it were, on ourselves, to the extent of nearly 31 lakhs of rupees which we may have to pay to the local bodies over and above the 176 lakhs already mentioned. Formerly, the position was that whenever the local bodies applied to the Government for permission to enhance the education cess, the Government were reluctant to accede to their request, since they felt that they had also to contribute an equivalent sum. Therefore, the local bodies were getting neither a larger contribution from the Government nor were they permitted to increase the education cess. The position, however, changed later on and the local bodies have been enhancing the education cess so much so that in some districts it is now 37 pies, as against

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an average rate of 3½ pies. This is in a way advantageous to the local bodies concerned in that the State Government's contribution is not linked up with what is being collected by them. The present amendment is certainly an improvement upon the existing position. We are also taking advantage of this amendment to fix a maximum in respect of Government contribution, e.g., 9 pies where the cess is 18 pies and above. There is, further, a limit fixed for the local bodies to enhance their education cess, viz., 36 pies. After all, they cannot be permitted to enhance their cess indefinitely. Likewise, in the case of municipalities also, we seek to fix a ceiling, i.e., 5 per cent or so on property tax, etc. Besides, we are taking upon ourselves the obligation to contribute fifty per cent of their collections, which is a bigger liability. This does not mean, however, that we will be content with making these contributions. We will give something more if our finances permit. The object of the Motion is to have the details examined thoroughly and the Bill improved upon, if need be. With these words, Sir, I move the motion."

THE DEPUTY CHAIRMAN :—" The question is—

'that this House concurs in setting up a Joint Select Committee of the two Houses consisting of 18 members (12 Members from the Assembly and 6 Members from the Council) to consider the Madras Elementary Education (Amendment) Bill, 1950, and that the following members of this House be nominated to the said Joint Select Committee :—

(1) The Hon. Sri K. Madhava Menon,
(2) Dr. P. S. Srinivasan,
(3) Sri Mothey Narayana Rao,
(4) Sri M. Narayana Menon,
(5) Sri R. Suryanarayana Rao, and
(6) Mrs. Mona Hensman.' "

The motion was carried.

DR. V. K. JOHN :—" Sir, there was a ruling given some time ago that the House could discuss the general principles of such Bills . . . ."

THE DEPUTY CHAIRMAN :—" The Motion was put before the House and I declared it carried only after a pause. The hon. Member could have taken advantage of that pause if he had intended to speak."

THE HON. SRI B. GOPALA REDDI :—" The Bill is only going to a Select Committee. The hon. Member will have ample opportunity to speak when the Bill comes up again before the House with the entire report of the Select Committee."

DR. V. K. JOHN :—" Sir, I remember we had a ruling that even at this stage we are entitled to a discussion of the principles

underlying the Bill. I never knew that you were putting it to the vote of the House. I thought it was a Motion for the Bill being taken into consideration."

THE DEPUTY CHAIRMAN :—" After putting the Motion before the House, I sat down and allowed some time for hon. Members to speak. The hon. Member did not rise up then."

THE HON. DR. T. S. S. RAJAN :—" The Leader of the Opposition came late to the House and he has missed the bus. The whole question is over. The Motion was put to the vote of the House and carried."

DR. V. K. JOHN :—" I wanted to say only this much on the Bill, Sir. In view of Article 45 of the Constitution of India, we should not tinker with this problem of Education. We must have a comprehensive Bill to implement Article 45 which says that within a period of ten years we should have all boys and girls up to 14 years properly educated. This is all I wanted to say before the Bill could go before the Select Committee. I hope the Select Committee will see to it that the Bill is so amended as to implement Article 45 of the Constitution. It should enable the Government to introduce free compulsory education within the course of ten years."

(2) THE MADRAS JUTE (CONTROL OF PRICES AND SALES) BILL, 1950 (L.A. BILL NO. 4 OF 1950).

THE HON. SRI C. PERUMALSAMI REDDI :—" Mr. Deputy Chairman, Sir, I move—

'*That the Madras Jute (Control of Prices and Sales) Bill, 1950* [a] *(L.A. Bill No. 4 of 1950), as passed by the Legislative Assembly be taken into consideration.*'

The necessity for this piece of legislation is fully explained in the statement of objects and reasons given in the Bill."

The motion was put and carried.

Clauses 2, 3, 4, 5, 6, 7, 8 and 9 were put separately and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI C. PERUMALSAMI REDDI :—" Sir, I move—

'*That the Madras Jute (Control of Prices and Sales) Bill, 1950, be passed into law.*' "

THE DEPUTY CHAIRMAN :—" Motion moved—

'That the Madras Jute (Control of Prices and Sales) Bill, 1950, be passed into law . . .' "

11-30 a.m. * DR. V. K. JOHN :—" Sir, I want to make a few general observations. Surely this is a Bill which seeks to control the price and sale of jute in the Madras State. I have been saying in this

a Printed as Appendix I on pages 699–700 infra.